



The West Fargo City Commission met on Monday, August 15, 2011, at 5:30 P.M. Those present were Rich Mattern, Lou Bennett, Mark Simmons, Mike Thorstad and Duane Hanson. The meeting was called to order by Rich Mattern, President of the Board.

The Pledge of Allegiance was recited.

Commissioner Mattern advised that "Resolution Creating Fee Structure for Late Payments of Utility Bills and Related Matters" is to be added to the Consent Agenda. Commissioner Simmons moved and Commissioner Hanson seconded to approve the Order of Agenda with the addition to the Consent Agenda. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Hanson seconded to approve the Minutes of August 1, 2011 and the Budget Meeting Minutes of August 1, 2011. No opposition. Motion carried.

The Commission reviewed Building Permits #305 - 332 along with the Building Department Activity Report dated August 15, 2011.

There were no Commissioner Committee Reports.

The Auditor's Reports for July 2011 were received by the Commission.

There were no Department Reports.

Commissioner Hanson moved and Commissioner Bennett seconded to approve the following items on the Consent Agenda:

Bills

Gaming Site Authorization: Ducks Unlimited, Inc. at Arthur W Jones Post 7564

Games of Chance: Holy Cross Catholic Church for Raffle to be held October 8, 2011

Games of Chance: Red River Regional Marksmanship for Raffle to be held 11/1/11 to 6/30/12

Games of Chance: Packer Backers for Bingo/Raffle/Calendar Raffle 8/2/11 to 6/30/12

Special Permit for The Work Zone on 9/10/11

Appointment of Wade Swenson to the Airport Authority for a fill term to January 2012

Resolution Approving Contract and Contractor's Bond in Water, Sewer, Street and Storm Sewer Improvement District No. 1229

Resolution Approving Contract and Contractor's Bond in Water, Sewer, Street and Storm Improvement District No. 1231

Public Hearing August 29, 2011, 5:45 PM for rezoning of Shadow Creek 2<sup>nd</sup> Addition from Agricultural to Single Family Dwellings

Public Hearing August 29, 2011, 5:45 PM for rezoning of Prairie Heights 1<sup>st</sup> Addition from Agricultural to One & Two Family Dwellings and Limited Multiple Dwellings

Public Hearing August 29, 2011, 5:45 PM for rezoning of Lake Crest 1<sup>st</sup> Addition from Public Facilities to Planned Unit Development

Change Order for Sewer & Water Improvement District No. 1219 (4<sup>th</sup> Street East – 32<sup>nd</sup> Avenue East to 36<sup>th</sup> Avenue East)

Create Assessment District for Storm Sewer Improvement District No. 4049 and authorize City Engineer to prepare Engineer's Report (South Regstad Lake)

Resolution Creating Fee Structure for Late Payments of Utility Bills and  
Related Matters

No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on the \$9,960,000 Refunding Improvement Bonds of 2011, Series C. Mike Manstrom of Dougherty & Company LLC also appeared before the Commission to review the bid information and Moody's rating. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to adopt the Resolution Authorizing the Issuance of Improvement Warrants and Exchanging Them for \$9,960,000 Refunding Improvement Bonds of 2011, Series C, and accept the bid from Morgan Keegan to purchase the warrants at a price of \$10,031,939.85 with a net effective rate of 3.29133%. No opposition. Motion carried.

Wayne Welle appeared before the Commission to request a building permit for 1944 and 1946 Burlington Drive prior to the PUD Amendment and Simple Lot Split approval. Senior Planner Steven Zimmer appeared before the Commission to report that Staff has no issues with this request. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to approve the building permit prior to PUD Amendment and Simple Lot Split approval with the caution that Mr. Welle is proceeding at his own risk. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on the request from Mark Richman for a Planned Unit Development Amendment for chemical distribution facility on Lots 16-18, Block 1 of Knutson's 1<sup>st</sup> Addition. After discussion, Commissioner Hanson moved and Commissioner Thorstad seconded to approve the PUD Amendment subject to all conditions in the Staff Report. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on the request from Moore Engineering for a Planned Unit Development Amendment for expansion of office space and reduction in required parking spaces at 925 10<sup>th</sup> Avenue East. After discussion, Commissioner Bennett moved and Commissioner Simmons seconded to approve the PUD Amendment as recommended by Staff. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on Final Plat Approval of Westport Beach 8<sup>th</sup> Addition. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to approve the Final Plat subject to the seven conditions listed in the Staff Report. No opposition. Motion carried.

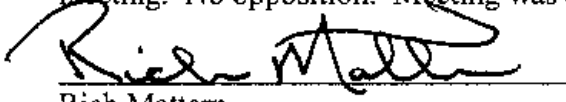
Senior Planner Steven Zimmer appeared before the Commission on a request from James Martin for a Conditional Use Permit for an addition onto single family dwelling in an Agricultural District located at 320 52<sup>nd</sup> Avenue West. Commissioner Bennett moved and Commissioner Thorstad seconded to approve the Conditional Use Permit as recommended by Staff. No opposition. Motion carried.

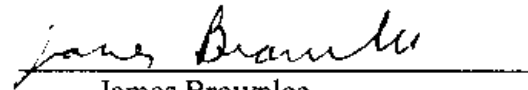
Senior Planner Steven Zimmer appeared before the Commission on Oak Ridge 2<sup>nd</sup> Addition rezoning from Agricultural to Multiple Dwellings and Land Use Plan Amendment from General Commercial to High Density Residential, and advised that the Planning and Zoning Commission recommends to deny the rezoning and land use plan amendment on the basis that the request is not consistent with City plans and ordinances. Steve Iverson appeared before the Commission on behalf of Osgood Investments. Developer Kevin Christianson also appeared before the Commission. After discussion, Commissioner Thorstad moved and Commissioner Simmons seconded to deny the request and uphold the Planning & Zoning Commission ruling. No opposition. Motion carried.

There were no Non-Agenda items.

There was no correspondence.

Commissioner Hanson moved and Commissioner Simmons seconded to adjourn the meeting. No opposition. Meeting was adjourned.

  
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Rich Mattern  
President of the Board

  
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James Brownlee  
City Auditor